IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3452 OF 2005
IN
CRIMINAL APPEAL NO. 515 OF 2005

Vasudeo Bindurao Joshi ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. V.V. Purwant, Advocate for Applicant

Mr. D.P. Adsule, A.P.P. for State.

.....

CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 23RD AUGUST, 2005

P. C.:-

1. Heard both sides.

2. The applicant has been convicted mainly under Section 330 of I.P.C. The maximum sentence imposed on the applicant is four years.

3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned advocate for the applicant that the maximum sentence imposed on the applicant is four years and this

appeal is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence if of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant Vasudeo Bindurao Joshi, to be released on bail in the sum of Rs.20,000/- with one or two sureties to make the said amount.

5. Application is disposed of.

*****